

**UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND**

IN RE: KUGEL MESH HERNIA PATCH LITIGATION  
This document relates to all actions.

MDL DOCKET NO. 07-1842-ML

**~~PROPOSED~~ PRACTICE AND PROCEDURE ORDER NUMBER 10**

This matter came before the Court on May 1, 2008 for a status conference. The Court considered items listed on the Meeting Agenda (Docket #860). The Court now makes the following orders:

1. **Territory Manager Deposition Production.** To the extent responsive documents of territory managers for ADR cases have been identified, Defendants shall produce them to Plaintiffs as far in advance as possible, but in no case less than ten (10) days before any territory manager deposition. Defendants shall continue to look for responsive documents and shall turn them over to Plaintiffs when found. Plaintiffs shall always have at least ten (10) days to review documents produced before a deposition. If, at any time, responsive documents are produced within ten (10) days of an already scheduled deposition, Plaintiffs shall notify Defendants if they wish to continue or reschedule. If, at any time, responsive documents are discovered and produced following a deposition, Plaintiffs shall be entitled to request additional time to ask questions of the witness concerning the issues raised by those documents.

2. **Confidential designations.** Defendants shall not use "blanket" confidential designations for all documents produced to Plaintiffs. For each and every document produced, the producing party shall make reasonable and good faith determination regarding whether the document should be marked as confidential prior to the initial production.

3. **Case Transfer Order 13.** For each of the cases listed in CTO-13, Defendants will have until May 24, 2008 to file an answer.

4. **Proposed Agenda Items and Pending Motions List.** In consultation with lead defense counsel, plaintiffs' liaison counsel shall submit to the Court a list of proposed agenda items and a current list and status of all motions on or before June 10, 2008. The Court will publish the agenda on or before June 13, 2008.

5. **Next Meeting.** The Court will meet with lead plaintiffs' counsel and defendants' counsel on June 17, 2008 at 1:00 p.m. in Room 151 of the United States Courthouse, One Exchange Terrace, Providence, RI. The June meeting will be an "open" session.

SO ORDERED:



Mary M. Gisi  
Chief United States District Judge  
May 8, 2008